

# **Town Board Minutes**

**Meeting  
No. 10**

***Special Meeting***

**April 6, 1998**

# **Town Board Minutes**

**Meeting  
No. 11**

***Regular Meeting***

**April 6, 1998**

MEETINGS TO DATE 10  
NO. OF REGULARS 6  
NO. OF SPECIALS 4

LANCASTER, NEW YORK  
APRIL 6, 1998

A joint meeting of the Town Board and the Planning Board of the town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 6th day of April 1998, at 6:30 P.M. and there were

**PRESENT:** ROBERT GIZA, SUPERVISOR  
DONALD KWAK, COUNCIL MEMBER  
JOHN MILLER, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

**ABSENT:** MARK MONTOUR, COUNCIL MEMBER  
FRANK DE CARLO, PLANNING BOARD MEMBER  
DAVID MARRANO, PLANNING BOARD CHAIRMAN

**ALSO PRESENT:** ELEANOR D. KUCHARSKI, DEP. TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
ROBERT LABENSKI, TOWN ENGINEER

**PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one action.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
REZONE PETITION OF HAMISTER DEVELOPMENT CO., INC./REGENT  
DEVELOPMENT INT'L INC.**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the rezone petition of Hamister Development Co., Inc./Regent Development Int'l Inc. matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER GOBER, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
REZONE PETITION OF HAMISTER DEVELOPMENT CO., INC./REGENT  
DEVELOPMENT INT'L INC.  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type I action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 11.67 acres.

The location of the premises being reviewed is on the south side of William Street, east of Transit Road (4793 William Street).

**REASONS SUPPORTING DETERMINATION**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
  - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.

7. The proposed action will not affect air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not impact on the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will not affect the character of the existing community.
20. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_  
Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

April 6, 1998

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

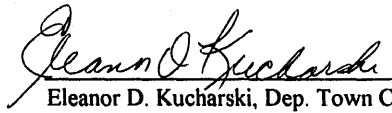
SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

April 6, 1998

**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 6:45 P.M.

  
Eleanor D. Kucharski, Dep. Town Clerk

MEETINGS TO DATE 11  
NO. OF REGULARS 7  
NO. OF SPECIALS 4

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LANCASTER, NEW YORK  
APRIL 6, 1998

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of April 1998 at 8:00 P.M. and there were

**PRESENT:** DONALD KWAK, COUNCIL MEMBER  
JOHN MILLER, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** MARK MONTOUR, COUNCIL MEMBER

**ALSO PRESENT:** ELEANOR D. KUCHARSKI, DEPUTY TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
THOMAS FOWLER, CHIEF OF POLICE  
JOHANNA COLEMAN, RECEIVER OF TAXES  
CHRISTINE FUSCO, ASSESSOR  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

**EXECUTIVE SESSION:**

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY CARRIED, the Town Board voted at 9:30 P.M. to deliberate in Executive Session for the announced purpose of proposed litigation and financial history of a corporation.

At 10:15 P.M., the Town Board reconvened with all members present. The Deputy Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

**PERSONS ADDRESSING TOWN BOARD:**

**Brett, James**, 659 Harris Hill Road, spoke to the Town Board on the following matter:

- State grant funding for Ellicott Creek.

**Buehler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matter:

- Questioned meeting times for Master Plan discussions.

**Gull, Henry**, 710 Pavement, spoke to the Town Board on the following matter:

- The conduct of Executive Session under the Open Meetings Law

**Juszczak, Joseph**, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Culvert on Hedge Road.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matters:

- Questioned Board on verbiage in resolution No. 13 re: hiring of laborer aides.
- Drainage problems in rear yard of property.

**Tamarowski, Larry**, 31 Livingston Street, spoke to the Town Board on the following matter: **Page 206**

- Complained about fairness of hiring certain individuals to the position of Laborer Aide

**Czechowicz, Larry**, 573 Lake Avenue, spoke to the Town Board on the following matter:

- Complaints regarding handling of drainage situation.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed contract between the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSERS**

None

**OPPOSERS**

None

**COMMENTS & QUESTIONS**

James Brett

**ADDRESS**

659 Harris Hill Road

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

**PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:**

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of the Year 1998 entitled "Real Property Tax Law Exemption for Disabled, as it Relates to Section 459-c RPTL" and designated as Article IV of Chapter 40, Taxation of the Code of the said Town.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSERS**

None

**OPPOSERS**

None

**COMMENTS & QUESTIONS**

None

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:50 P.M.



**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION. SECONDED BY COUNCIL  
MEMBER STEMPNIAK TO WIT:

**RESOLVED**, that the minutes from the Regular Meeting of the Town Board  
held on March 16, 1998 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

**WHEREAS**, Police Dispatcher Sharon M. Brooks, has requested the Town Board  
to consider granting her a one-year leave of absence without pay, and

**WHEREAS**, the Chief of Police has made a recommendation that the Town  
Board approve the request as made for the purpose of obtaining and continuing her medical  
treatment;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That after due review and consideration, the Town Board hereby grants a  
one-year unpaid leave of absence to Police Dispatcher Sharon M. Brooks for the purpose of  
obtaining and continuing her medical treatment, and
2. That the Town Board authorizes the Chief of Police to immediately fill the  
Police Dispatcher position occupied by Sharon M. Brooks on a temporary basis.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: rshnbrk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Town has a contract with BFI for the processing of recyclable materials generated out of the municipal solid waste stream, and

**WHEREAS**, the present contract permits the Town to elect to renew the contract for an additional 5-year period from its May 31, 1998 expiration date upon due notice to BFI, and

**WHEREAS**, the Town Board after due review and consideration deems it in the public interest to renewal the recyclable disposal agreement with BFI on the same terms and conditions as are recited in the agreement for renewal;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and is hereby authorized to notify BFI of the Town's intention to renew the agreement for an additional 5-year period commencing June 1, 1998 and terminating May 31, 2003.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: recycl.498

FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing **Two (2) New 1998 Exmark Ranger Hydrostatic TR22KC Mowers** to the Department of Parks, Senior Facilities and Building and Grounds, in accordance with the specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were opened on March 17, 1998, and

**WHEREAS**, by letter dated March 23, 1998, the General Crew Chief of the Department of Parks, Senior Facilities and Building and Grounds of the Town of Lancaster has recommended the purchase of the beforementioned equipment from Ken's Service & Sales, Inc., 351 Clinton Street, Elma, New York, being the lowest responsible bidder in accordance with said specifications, said bid being in the sum of \$10,726.50,

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board of the Town of Lancaster hereby authorizes the Crew Chief of the Department of Parks, Senior Facilities and Buildings and Grounds, to purchase two (2) new 1998 Exmark Turf Ranger Hydrostatic TR22KC Mowers to **Ken's Service & Sales, Inc., 8351 Clinton Street, Elma, New York 14059**, being the lowest responsible bidder in accordance with the specifications, in the sum of \$10,726.50.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: rawdmowr.498

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau has requested that the Town Board authorize the Town Board authorize the participation of the Youth Bureau in the Erie County Adopt-a-Highway Program, and

**WHEREAS**, the Town Attorney has reviewed the proposed contract with the County of Erie, Department of Public Works for the Adopt-a-Highway Program, and

**WHEREAS**, the Town Board has determined after due review and consideration that participation in this program is a positive activity for the Youth Bureau:

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the participation of the Youth Bureau in the County of Erie Adopt-a-Highway Program, and further authorizes the Supervisor of the Town of Lancaster to execute the beforementioned Agreement with the County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: radpthwy.498

FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing **One (1) New Skidsteer Loader, together with Trencher and Dozer Blade and One (1) New Preparator Landscape Grader Rake Model 66** to the Department of Parks, Senior Facilities and Building and Grounds, in accordance with the specifications on file with the Town Clerk of the Town of Lancaster, and

**WHEREAS**, said bids were opened on March 17, 1998, and

**WHEREAS**, by letter dated March 23, 1998, the General Crew Chief of the Department of Parks, Senior Facilities and Building and Grounds of the Town of Lancaster has recommended the purchase of the beforementioned equipment from **Buffalo Tractor & Implement Co., Inc., 3045 Seneca Street, Buffalo, New York 14224**, being the lowest responsible bidder in accordance with said specifications, said bid being in the total sum of \$31,135.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board of the Town of Lancaster hereby authorizes the Crew Chief of the Department of Parks, Senior Facilities and Buildings and Grounds, to purchase the following equipment from **Buffalo Tractor & Implement Co., Inc., 3045 Seneca Street, Buffalo, New York 14224**, the lowest responsible bidder in accordance with said specifications:

- |                      |   |                     |
|----------------------|---|---------------------|
| 1.                   | One (1) New Skidsteer Loader with Trencher<br>& Dozer Blade, for the sum of : | \$26,489.00         |
| 2.                   | One (1) New Preparator Landscape Grader<br>Rake Model 66, for the sum of      | <u>4,646.00</u>     |
| <b>TOTAL AMOUNT:</b> |   | <b>\$31, 135.00</b> |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: rawdtctr.498

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a Public Hearing pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupations" of the Code of the Town of Lancaster, upon the application of MARLENE BENSON for a Special Use Permit for a Home Occupation (Dog Grooming) on premises at 124 Pavement Road, Lancaster, New York

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard:

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That pursuant to Chapter 50-Zoning - Section 17 (F) , entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **MARLENE BENSON**, for Dog Grooming within a single-family dwelling locally known as 124 Pavement Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, with the stipulation that not more than two (2) client cars be parked on or adjacent to the property at any given time,

2. That the applicant will continue in compliance with conditions numbered One through Four as set forth in Chapter 50, Section F of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a. Only persons residing on the premises shall be engaged in such an occupation.
- b. The home occupation shall be clearly incidental and subordinate to the use of the premise for residential purposes. The area devoted to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure. It may be within The principal accessory structure.
- c. There shall be no change in the outside appearance of The building or premises or other visible evidence of the conduct of such home occupation.
- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot.

3. There shall be no outdoor sign advertising this business.

4. This Special Use Permit terminates when the applicant no longer resides on the premises.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 31, 1998

File: rsupbnsn.498



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

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**WHEREAS**, the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, pursuant to Notice duly given, has held a Public Hearing on a proposed contract between the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma, in accordance with the provisions of §184-a of the Town Law of the State of New York, and

**WHEREAS**, the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, deems said contract for the supply of water and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road between Bowen Road and Ransom Road, to be in the public interest and safety;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, does hereby approve the contract between the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma for a supply of water and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road between Bowen Road and Ransom Road, and
2. That the Supervisor of the Town of Lancaster be and hereby is directed to execute said Agreement on behalf of the Fire Protection District of the Town of Lancaster, for a term commencing April 1, 1998 and terminating March 31, 2003.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

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**WHEREAS**, the Town of Lancaster has heretofore entered into a contract with Ecology and Environment, Inc., (E & E) to furnish emergency response personnel and technical experts for consultation with Disaster Preparedness personnel of the Town of Lancaster, with regard to any occurrence posing a possibility of imminent harm to persons, property or the environment, which contract expired, according to its terms, December 31, 1997, and

**WHEREAS**, the Town Board deems it in the public interest and safety to renew said Agreement with Ecology and Environment to provide the aforementioned service to the Disaster Preparedness personnel of the Town of Lancaster, in accordance with the Agreement as proposed by E & E, and incorporated herein by reference.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute a two-year Agreement with Ecology and Environment, Inc., there being no consideration to be paid by the Town for the Agreement, but rather compensation to be paid by the Town to E & E, when services are provided pursuant to the rate schedule set forth in the Agreement; conditioned upon the Town being named as an additional insured on E & E insurance coverage and verification of that fact being furnished by Ecology & Environment, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEPNIAK	ABSTAINED (N.B.-1)
SUPERVISOR GIZA	VOTED YES

April 6, 1998

N.B.-1 Council Member Stempniak abstained from voting on this matter as she has a relative who is employed by E & E.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Chief of Police of the Town of Lancaster has requested the  
purchase of One (1) Portable Alternative Light Source for use in the Town Police Department.  
and

**WHEREAS**, the Public Safety Committee of the Town Board recommends that  
such purchase be authorized;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That bids be received by the Town Clerk on April 17, 1998 at 10:00  
o'clock A.M., Local Time, for the purpose of purchasing One (1) Portable Alternative Light  
Source for use in the Police Department of the Town of Lancaster, in accordance with  
specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to  
Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be  
in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: rntbdpol.498

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN**, that sealed Bids will be received by the Town Clerk of the Town of Lancaster or his designee, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time on the 17th day of April, 1998, for the purpose of purchasing One (1) Portable Alternative Light Source for use of the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of \$1,000.00, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: ROBERT P. THILL**  
Town Clerk

April 6, 1998

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

**WHEREAS**, Bowmansville Volunteer Fire Association, Inc. , has submitted a Site Plan, dated March 9, 1998 for the construction of a 3,751 s.f. addition to its existing facility located on its premises at 36 Main Street, Bowmansville, in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan, and at its meeting of April 1, 1998, recommended approval of this project , and

**WHEREAS**, this project was reviewed for SEQR purposes and it has been determined to be a "Type II Action" and as such no further SEQR action is necessary;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan prepared by Carmina Sylvestri, Architects, P.C. , dated March 9, 1998, for Bowmansville Volunteer Fire Association, Inc., for construction of a 3,751 s.f. addition to its facilities located at 36 Main Street, Bowmansville, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: rsite.498

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

Page 220

**WHEREAS**, Hamister Development Co., Inc., 651 Delaware Avenue, Buffalo New York, 14202, the contract vendee of a parcel of property located on the south side of William Street, in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from an MFR-3 - Multi-family District 3 to RCO-Residential-Commercial-Office District, and an R1-Residential District One, to an RCO-Residential-Commercial Office District, and

**WHEREAS**, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of April, 1998, at 8:40 o'clock P.M., Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

**LEGAL NOTICE  
PUBLIC HEARING  
REZONE -HAMISTER DEVELOPMENT, INC.  
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 6th day of April, 1998, the said Town Board will hold a Public Hearing on the 20th day of April, 1998, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an MFR-3 -Multi-family District 3 to an RCO-Residential Commercial Office District, and an R1-Residential District One to an RCO-Residential Commercial Office District:

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 95, Township 10 Range 6 of the Buffalo Creek Reservation, bounded and described as follows:

**BEGINNING** at a point on the northerly line of Lot 95, being the center line of William Street, at a distance of 1613.54 feet east of the northwest corner of Lot 95 further described as being the centerline of Transit Road;

**THENCE** easterly along said northerly line of Lot 95 and the centerline of William Street, a distance of 4978.76 feet to a point, said point being the northwest corner of lands conveyed by H. Mueller by Liber 10291, Page 540;

**THENCE** southerly along the west line of proposed right of way (paper street) and parallel to the west line of Lot 95 which is also the center line of Transit Road, a distance of 1021.53 feet to a point;

**THENCE** westerly and parallel to the south line of Lot 95 a distance of 497.90 feet to a point, said point being the east line of Eastwood Village South;

Thence northerly and parallel to the west line of Lot 95 and along the easterly line of said Eastwood Village, a distance of 1025.83 feet to the point of beginning, containing 11.7 acres, more or less, and subject to all easements, restrictions, and rights of way of record.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: ROBERT P. THILL**  
Town Clerk

April 6, 1998

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK. TO WIT:

**WHEREAS**, the General Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated March 30, 1998, has recommended the appointment of Richard J. Marino, 173 Laverack Avenue, Lancaster, New York 14086, John Zimmerman, 23 Candice Court, Lancaster, New York 14086, Carmen G. Ciccarella, 809 Erie Street, Lancaster, New York 14086, and James Len, Jr., 275 Seneca Place, Lancaster, New York 14086, to the position of Laborer Aide in the Parks, Senior Facility, and Buildings and Grounds Department of the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that **Richard J. Marino**, 173 Laverack Avenue, Lancaster, New York 14086, **John Zimmerman**, 23 Candice Court, Lancaster, New York 14086, **Carmen G. Ciccarella**, 809 Erie Street, Lancaster, New York 14086, and **James Len, Jr.**, 275 Seneca Place, Lancaster, New York 14086, be and are hereby appointed to the position of Laborer Aide in the Parks, Senior Facility, and Buildings and Grounds Department of the Town of Lancaster, at a rate as set forth in the contract with the Town of Lancaster White Collar Unit of Local #815, including all benefits, said appointments effective April 6, 1998, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK TO WIT:

**WHEREAS**, the General Crew Chief, by letter dated March 30, 1998, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the spring and summer seasons of 1998.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to the position of seasonal employees for the spring and summer seasons of 1998 in the Parks, Recreation and Forestry Department of the Town of Lancaster, effective April 6, 1998, with no benefits at the following hourly rates:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Sebastian Constantino ( new hire) 101 Field Avenue, Lancaster	Recreation Attendant P.T. Seasonal	\$9.00 hr
Donald Hibbs (rehire) 75 S. Irwinwood Rd., Lancaster	Laborer P.T. Seasonal	\$6.75 hr.
Jason Tamrowski. (rehire) 31 Livingston Street, Lancaster	Laborer P.T. Seasonal	\$6.75 hr.
Brandon Wehrung (rehire) 34 Partridge Walk, Lancaster	Laborer P.T. Seasonal	\$6.00 hr

and.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: RPERS.SUM (P5)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER TO WIT:

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**WHEREAS**, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated April 2, 1998, has recommended the appointment of **ANTHONY J. LORIGO**, 8 Pershing Avenue, Lancaster, New York 14086, to the provisional, full time position of Youth Counselor with the Youth Bureau of the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That **ANTHONY J. LORIGO**, 8 Pershing Avenue, Lancaster, New York 14086, be and is hereby appointed to the civil service position of Youth Counselor, full time provisional, in the Youth Bureau Department of the Town of Lancaster, effective April 15, 1998.
2. That the salary for this position is \$33,110.00 based on the salary schedule in the CSEA White Collar Agreement with the Town of Lancaster for the year 1998.
3. That this appointment is on a provisional basis pending successful passing of a civil service examination, and
4. That the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER TO WIT:

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**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts:

Claim No. 1277 to Claim No. 1643 Inclusive

Total amount hereby authorized to be paid: \$ 2,226,004.22

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER. TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

4745	Charles Long	33 Woodgate Dr	Er. Deck
4746	Francis Vito	67 Williamsburg Ln	Er. Shed
4747	Charles H Orcutt	541 Lake Ave	Er. Shed
4748	Forbes Homes Inc	12 Devonshire Ln	Er. Sin. Dwlg
4749	Marrano Marc Equity	4 Butler Dr	Er. Sin. Dwlg
4750	Marrano Marc Equity	38 Whitestone Ln	Er. Sin. Dwlg
4751	Marrano Marc Equity	134 Belmont Ave	Er. Sin. Dwlg
4752	Allen Grabenstatter	781 Schwartz Rd	Ex. Sin. Dwlg
4753	Sunrise Bldrs Inc	4 Hunters Dr	Er. Sin. Dwlg
4754	Centennial Homes Inc	171 Nathan's Terr	Er. Sin. Dwlg
4755	Good Earth Organics	5960 Broadway	Er. Off/Warehouse
4756	Capretto Enterprises	307 Enchanted Fst N	Er. Sin. Dwlg
4757	Olean Signs & Awnings	5121 Transit Rd	Er. Sign
4758	Michael R Barker	45 Michael's Wlk	Er. Deck
4759	Joseph Lucenti	3 Willow Ridge Ct	Er. Fence
4760	Kim Goldyn	10 Arrow Tr	Er. Deck Roof
4761	Gegenfurtner, Paul	3 Park Wlk	Er. Deck
4762	Ryan Homes	13 Creekwood Dr	Er. Deck
4763	Kevin Farrell	24 Hemlock Ln	Er. Shed
4764	Ken Karl	32 Spruceland Terr	Er. Deck
4765	John Muszynski Jr	78 Markey Ave	Er. Fence
4766	Jeff Przybyl	73 Williamsburg Ln	Er. Shed
4767	David J Mik	39 Michael's Wlk	Er. Shed
4768	Nicholas Corbi	19 Hemlock Ln	Er. Fence
4769	J Lewandowski	38 Via Donato E	Er. Shed
4770	David Christopher	17 Via Donato W	Er. Deck
4771	Beauty Pools	482 Pleasant View Dr	Er. Fence/Pool
4772	Nancy Wojdan	1702 Como Park Blvd	Er. Garage
4773	William Geary	152 Pavement Rd	Er. Garage
4774	Cindy Mochol	5809 Broadway	Er. Sign
4775	Wilcox Bros Sign Co	6363 Transit Rd	Er. Deck

4776	C Anderson	29 Via Donato E	Er. Deck
4777	Heartland Homes	14 Stream View Ln	Er. Sin. Dwlg
4778	Sunrise Bldrs Inc	12 Stream View Ln	Er. Sin. Dwlg
4779	Robert Bologna	16 Via Donato W	Er. Pool/Deck
4780	Peter Tasca	4729 Transit Rd	Er. Temp. Sign
4781	Donato Developers, Inc.	21 Cobblestone Ct	Er. Sin. Dwlg
4782	Ken Pautler	18 Quail Hollow	Er. Patio Encl
4783	Sharon Beamish	42 Bentley Cir	Er. Shed
4784	Lancaster Speedway	57 Gunnville Rd	Er. Concession Stand
4785	Jim Miller	3 Sagebrush Ln	Er. Pool
4786	Vincent Santoro	59 Williamsburg Ln	Er. Shed
4787	Creative Fence Co	6 Via Donato W	Er. Fence
4788	Chris Scozzaro	30 Willow Ridge Ct	Er. Deck
4789	Ryan Homes	287 Enchanted Fst N	Er. Sin. Dwlg
4790	Ryan Homes	50 Michael Anthony Ln	Er. Sin. Dwlg
4791 SW	Mark Betker	195 Peppermint Rd	Er. Sin. Dwlg
4792	Lancaster Speedway	57 Gunnville Rd	Er. Ticket Booths
4793	Gorden Phelinger	1250 Townline Rd	Ex. Sin. Dwlg
4794	Ferry Bldrs	155 Nathan's Terr	Er. Sin. Dwlg
4795	Another Custom Home by Walter	18 Village View	Er. Sin. Dwlg
4796	Pace Bldrs	179 Nathan's Terr	Er. Sin. Dwlg
4797	Patti Capitani	3 Cobblestone Ct	Er. Fence/Pool
4798	Bob Grabinski	18 Greenbriar Dr	Er. Shed
4799	Raymond Gozdian	21 Willow Ridge Ln	Er. Shed
4800	Diane Monde	9 Deerpath Dr	Er. Fence
4801	Capretto Homes	2 Ryan St	Er. Sin. Dwlg
4802	Capretto Homes	23 Clermont Ct	Er. Sin. Dwlg
4803	Create A Fence	424 Central Ave	Er. Fence
4804	M J Peterson Const	13 Devonshire Ln	Er. Sin. Dwlg
4805	Nancy Buscaglia	4 Bentley Cir	Er. Fence <i>Deck</i>
4806	Donald Tredo	6 Via Donato W	Er. Shed
4807	Nicholas Notaro	1376 Townline Rd	Er. Deck
4808	Town Line Fire Dept Attn: N Weber	6502 Broadway	Ex. Firehouse
4809	Beverly Hornung	13 Sagebrush Ln	Er. Pool

and.

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 6, 1998

File:Rhldg2

Council Member Stempniak requested a suspension of the necessary rule for immediate consideration of the following resolution:

**SUSPENSION:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER KWAK, TO WIT:

**WHEREAS, GEORGE E. O'NEIL**, 111 Nichter Road has previously had a subdivision map cover approved by the Town Board of the Town of Lancaster by resolution on January 20, 1998, for the subdivision known as **D'APRILE SPRINGS**, and

**WHEREAS**, the developer, by letter dated March 24, 1998, has advised the Town Board that he was unable to meet the 60-day time frame due to a delay at the County level and requests the Town Board to re-approve this project, and

**WHEREAS**, the Town Board has reviewed the request of the developer and takes no exception thereto;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby re-approves the map cover for D'Aprile Springs Subdivision as filed by George e. O'Neil; and
2. That the Town Clerk of the Town of Lancaster be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof which will be filed in the Erie County Clerk's Office by the developer.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK  
COUNCIL MEMBER MILLER  
COUNCIL MEMBER MONTOUR  
COUNCIL MEMBER STEMPIAK  
SUPERVISOR GIZA

VOTED YES  
VOTED YES  
WAS ABSENT  
VOTED YES  
VOTED YES

April 6, 1998

File: radapril.498

**COMMUNICATIONS:**

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202. Larry T. Czechowicz to Town Board -  
Notice and Complaint re: Town's liability for damages resulting from drainage problem on premises located at 573 Lake Ave. DISPOSITION: Engineer, Town Attorney
203. Marlene Benson to Town Board -  
Application for Special Use Permit to operate a dog grooming shop on premises situate at 124 Pavement Rd. DISPOSITION: Resolution
204. Police Chief to Supervisor -  
Notification that COPS FAST grant has been extended to 8/31/98. DISPOSITION: Public Safety Committee
205. Highway Supt. To Town Board -  
Listing of equipment that needs to be replaced or purchased. DISPOSITION: Highway Committee
206. The James Natalzia Family to Town Board-  
Note of appreciation for expression of sympathy. DISPOSITION: Received and Filed
207. Sharon M. Brooks, Police Dispatcher, to Town Board -  
Request one year's leave of absence, without pay. DISPOSITION: Resolution
208. Lancaster-Depew Leagues Inc. to Supervisor -  
Invitation to opening day ceremonies to be held 5/17/98. DISPOSITION: Received and Filed
209. C.I.D. Refuse Service, Inc. to Supervisor -  
Attempt to resolve two issues and proposal for an extension of current refuse hauling contract between Town and C.I.D. DISPOSITION: Town Attorney, Supervisor
210. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney -  
Transmittal of petition for meeting to be held 4/09/98. DISPOSITION: Received and Filed
211. LVAC Corps to Supervisor and Town Clerk -  
Comments and requests re: phone charges. DISPOSITION: Supervisor
212. George O'Neil to Town Board -  
Request re-approval of D'Aprile Springs Subdivision. DISPOSITION: Resolution
213. Planning Board to Town Board -  
Recommended unanimous approval of rezone petition for Adult Care Facility/Medical Offices on William Street, east of Eastwood Village. DISPOSITION: Received and Filed
214. Planning Board to Town Board -  
Minutes of meeting of 3/18/98. DISPOSITION: Received and Filed
215. Town Engineer to Town Board -  
Recommend Town-owned parcel of property (SBL 93.20-3-56) located on Seneca Pl. be declared surplus parcel. DISPOSITION: Received and Filed
216. Daniel E. Rinow to Supervisor -  
Notification of resignation from Youth Board effective 5/31/98. DISPOSITION: Received and Filed
217. Planning Board to Town Board -  
Agenda for meeting to be held 4/1/98. DISPOSITION: Received and Filed
218. Twin District V.F.C to Supervisor -  
Response to letters re: David Rucker, 4975 William St., complaint of lighting problems with fire hall. DISPOSITION: Received and Filed
219. Disaster Response Coord. To Supervisor -  
Request I.D. cards for members of committee and request for insurance coverage of non-volunteer fire fighters and non-LVAC members. DISPOSITION: Town Attorney
220. NYS Thruway Authority to Supervisor -  
Comments and transmittal of "Final Noise Policy". DISPOSITION: Received and Filed
221. NYSDEC to Dep. Town Attorney -  
Advisement re: proposed Hamister Devel. Co./Regent Devel. Int'l Inc. rezone petition for premises situate at 4793 William St. DISPOSITION: Planning Committee



222. Police Chief to Planning Board Chair. -  
Notice of approval of Bowmansville VFA site plan for premises situate at 36 Main St.  
DISPOSITION: Received and Filed
223. Police Chief to Planning Board Chair. -  
Notice of approval of AC Associates of New York, Inc. site plan for premises situate at 5135  
Transit Rd. DISPOSITION: Received and Filed
224. Disaster Response Coordinator to Town Board -  
Transmittal of minutes of meeting of 3/19/98. DISPOSITION: Received and Filed
225. Erie County Water Authority to Bldg. Inspector -  
Comments Re: Operation and maintenance of hydrants on private property. DISPOSITION:  
Received and Filed
226. Town Clerk to Town Board -  
Transmittal of monthly contracts expiring 6/1/98 to 6/30/98. DISPOSITION: Town Attorney
227. Town Clerk to Town Board -  
Monthly report for March 1998. DISPOSITION: Received and Filed
228. Town Clerk to Various Media -  
Notice of SEQR review meeting to be held on 4/6/98 re: Hamister Development Co./Regent  
Development Int'l Inc. rezone matter. DISPOSITION: Received and Filed
229. Office of the State Comptroller to Supervisor -  
Grants an extension of sixty days for filing of annual financial report. DISPOSITION:  
Received and Filed
230. Gerry Hanford, 434 Schwartz Rd., to Town Board -  
Request cleaning of pipe on east side of Schwartz Rd. DISPOSITION: Engineer
231. General Crew Chief to Supervisor -  
Recommendation of appointment of various individuals for spring/summer season.  
DISPOSITION: Resolution.
232. General Crew Chief to Supervisor -  
Request appointment of four individuals to position of Laborer Aide. DISPOSITION:  
Resolution
233. Disaster Coordinator to Supervisor -  
Minutes from meeting held 3/24/98. DISPOSITION: Received and Filed
234. Depew-Lancaster Boys & Girls Club, Inc. to Town Board -  
Request permission to hold 21st Annual 10K race on 7/04/98. DISPOSITION: Police Chief
235. NYSDEC to Supervisor -  
Request assistance in completing survey in connection with the establishment of a tree  
management program. DISPOSITION: Parks, Recreation and Forestry Dept.
236. NYSDEC to Supervisor -  
Transmittal of data with request for comments re: mining application of Pine Hill Materials  
Corp. - Genesee North Gravel Pit. DISPOSITION: Town Attorney
237. Krehbiel Associates to Town Board -  
Request consideration to be appointed consulting engineer of record for 1998. DISPOSITION:  
Received and Filed
238. BFI to Town Attorney -  
Confirmation of Town's decision to exercise its option and extend the Material Recovery  
Facility Agreement. DISPOSITION: Resolution
239. Lancaster Central School District to Council Member Montour -  
Notice that school district has no interest in participating in a Municipal Purchasing Alliance.  
DISPOSITION: Received and Filed
240. County Real Property Director to Arthur Herdzik -  
Notification of training sessions to be held for Board of Assessment Review members.  
DISPOSITION: Received and Filed
241. Town Attorney to Fox & Co. -  
Information re: Annual Report of Tort Claims. DISPOSITION: Received and Filed

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242. Police Chief to Officer Erin Myers -  
Commendation for excellent work re: the armed robbery of Microtel on 3/30/98.  
DISPOSITION: Received and Filed
243. Police Chief to Lt. Timothy Murphy and Det. Leon Robak -  
Commendation for excellent job relative to investigation of the armed robbery of Microtel on  
3/30/98. DISPOSITION: Received and Filed
244. Planning Board to Town Board -  
Minutes from meeting held 4/01/98. DISPOSITION: Received and Filed
245. Planning Board to Town Board -  
Recommend approval with conditions of AC Associates of New York, Inc. site plan for  
premises situate at Transit Rd/Monroe St. DISPOSITION: Planning Committee
246. Planning Board to Town Board -  
Recommend approval of Bowmansville VFA site plan for premises situate at Main St.  
DISPOSITION: Resolution
247. Youth Bureau Ex. Dir. To Supervisor -  
Recommend appointment of Anthony J. Loligo to fill vacant Youth Counselor position  
effective 4/15/97. DISPOSITION: Resolution
248. Town Clerk to Planning Board Member -  
Transmittal of rezone petition of Tom Ferry/Mark Dean for premises situate at 473 Aurora St.  
DISPOSITION: Planning Committee

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER STEMPIAK, AND SECONDED BY  
COUNCIL MEMBER KWAK AND CARRIED, the meeting was adjourned at 10:15 P.M.

Signed



Eleanor D. Kucharski, Dep. Town Clerk